

**REMARKS**

Claims 9-13 have been examined. Claim 9 has been amended and new claims 14 and 15 have been added. Reconsideration of the claims, as amended, is respectfully requested.

Interview

Counsel for the Applicants wishes to thank the Examiner for the interview of August 24, 2005. An appropriate interview summary has been provided.

Claim Rejections - 35 U.S.C. §103

Claims 9-11 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Smith in view of Moore. As discussed in the interview, claim 9 is being amended to recite that the cooling element includes a cooling substance disposed therein. Since the cited art fails to teach or suggest this limitation, claim 9 is distinguishable over the cited art of record. Claims 10 and 11 depend from claim 9.

Allowable Subject Matter

Claims 12 and 13 were indicated to include allowable subject matter. New claim 15 has been added to rewrite claim 12 in independent form. Hence, claim 15 is in condition for allowance.

New Claim 14

Claim 14 has been added and includes the limitations of claim 9 plus the feature that the cooling element is not a liquid. Since the cited art teaches the placement of a liquid into the tray, claim 14 is distinguishable and in condition for allowance.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/808,840  
Amdt. dated August 25, 2005  
Reply to Office Action of June 14, 2005

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000

Respectfully submitted,

Darin J. Gibby  
Reg. No. 38,464

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 303-571-4321  
DJG/cl  
60572298 v1